

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:22-cv-00596-MR**

RAHEEM LATIF YOUNG,

Plaintiff,

vs.

FNU COOPER, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court on initial review of Plaintiff's Complaint. [Doc. 1].

I. BACKGROUND

In this action filed on October 31, 2022, pro se Plaintiff Raheem Latif Young ("Plaintiff"), a state prisoner currently incarcerated at Granville Correctional Institution ("Granville CI") in Butner, North Carolina, purports to bring claims arising out of events occurring at Granville CI.¹ Plaintiff names FNU Cooper and FNU Wilson as Defendants in this matter. [Doc. 1 at 1, 3]. Plaintiff alleges his constitutional rights were violated when he was assaulted

¹ Butner, North Carolina, is in the Eastern District. Although Plaintiff purports to bring his claim pursuant to the Federal Tort Claims Act, [Doc. 1 at 2], it appears that it lies under 42 U.S.C. § 1983.

by Defendants. [See id. at 5-6]. For injuries, Plaintiff claims to have suffered headaches, back pain, and blurred vision. [Id. at 7]. Plaintiff does not state what relief he seeks. [See id.].

II. DISCUSSION

In an action arising under 42 U.S.C. § 1983, venue is established by 28 U.S.C. § 1391(b), which provides: (b) A civil action may be brought in: (1) a judicial district where any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

Therefore, under Section 1391, Plaintiff's action may be heard in a venue where all the defendants reside, or in the venue where the issue substantially arose, which here is the Eastern District of North Carolina. Pursuant to 28 U.S.C. § 1406(a), the Court may dismiss this action, or, if it is in the interest of justice, transfer this action to the United States District Court for the Eastern District of North Carolina. The Court will transfer this action to the Eastern District of North Carolina.

III. CONCLUSION

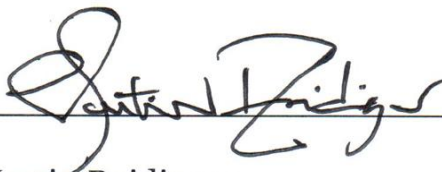
For the reasons stated herein, the Court transfers this action to the Eastern District of North Carolina.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's action is transferred to the Eastern District of North Carolina.
2. The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: November 9, 2022



Martin Reidinger
Chief United States District Judge

